

Conghua Yan

214-229-1886

arnold200@gmail.com

2140 E Southlake Blvd, Suite L-439

Southlake, Texas 76092

February 15, 2024

VIA CM/ECF

The Hon. Jeffrey L. Cureton, U.S.M.J.

U.S. District Court, Northern District of Texas

501 West 10th Street, Room 520

Fort Worth, Texas 76102

Re: Conghua Yan v. U.S. Bank, et al,

Case No. 4:23-cv-00758-P

### NOTICE

Dear Judge Cureton:

On February 11, 2024, Plaintiff Conghua Yan filed an Objection/Response to U.S. Bank's Motion to Dismiss. (Dkt. 140.), pursuant to prior Court Order (Dkt.132.).

It is Plaintiff's understanding that prior order has not been vacated (Dkt. 132.), which leaves Plaintiff no option other than complying to it.

U.S. Bank's unwarranted position of "Plaintiff *must* re-file his Response after he moves the Court to "reopen the case within thirty days of the resolution of the appeal." Unless instructed otherwise by the Court, U.S. Bank will not serve a Reply in further support of its Motion to Dismiss while "this case remains closed"" is not supported by any federal precedent or existing FRCP. U.S. Bank is not a federal legislator.

"By contrast, administrative closings do not end the proceeding." *Papotto v. Hartford Life & Accident Ins. Co.*, 731 F.3d 265, 275 (3d Cir. 2013).

Respectfully submitted,

cc (via CM/ECF): The Hon. Mark Pittman, U.S.D.J.

\_\_\_\_\_  
/s/ Conghua Yan

Conghua Yan, Pro Se Plaintiff

[Conghua Yan] [2140 E Southlake Blvd, Suite L-439] [Southlake, Texas 76092] [214-228-1886] [arnold200@gmail.com]

**CERTIFICATE OF SERVICE**

On (February 15<sup>th</sup>, 2024) I, Conghua Yan, hereby certify that I have served the forgoing document on all counsels and/or pro se parties of record in a manner authorized by Federal Rule of Civil Procedure 5(b)(2).

\_\_\_\_\_  
/s/ Conghua Yan

Conghua Yan, Pro Se Plaintiff

[Conghua Yan] [2140 E Southlake Blvd, Suite L-439] [Southlake, Texas 76092] [214-228-1886]

[arnold200@gmail.com]